IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32892 of 2007(N)

---

PETITIONER:

---

1. RAJAMMA, AGED 78 YEARS,
   W/O.THANKAPPAN, MATTATHIL VEEDU,
   KIDANGOOR P.O., KOTTAYAM.

2. MOHANKUMAR, MATTATHIL VEEDU,
   PIRAYARKARA, KIDANGOOR.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS:

---

1. THE DISTRICT COLLECTOR,
   COLLECTORATE, KOTTAYAM.

2. THE REVENUE DIVISIONAL OFFICER,
   KOTTAYAM.

3. THE STATION HOUSE OFFICER,
   MEENACHIL POLICE STATION, KOTTAYAM.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

.....

W.P.(C) No.32892 of 2007

.....

Dated this the 6th day of November, 2007.

JUDGMENT

Ext.P1 is an order passed by the District Collector in terms of Rule 27 of the Rules framed under the Kerala Protection of River Banks and Regulation of Removal of Sand Act. Ext.P1 shows that the vehicle was involved in unauthorised transportation of river sand and that there was no pass or any other authorisation to justify the same. In the light of the aforesaid finding, the first respondent could not be faulted for having passed Ext.P1. In so far as the fixation of value is concerned, there is nothing to show that the value fixed is irrational or is exorbitant. Similarly in so far as the quantification of fine is concerned, I do not find any perversity in the view taken by the respondents. The petitioners also have not raised any ground to conclude that the findings of fact rendered by the District Collector in Ext.P1 order is erroneous. If that be so, Ext.P1 order deserves to be upheld and I do so. The W.P. is accordingly dismissed.

ANTONY DOMINIC
Judge

pms